



## City of Huntington Beach Planning and Building Department **STUDY SESSION REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning and Building  
**BY:** Hayden Beckman, Planning Aide *HB*  
**DATE:** August 23, 2011

**SUBJECT: GENERAL PLAN CONFORMANCE NO. 11-01 (MARIGAYLE CIRCLE EASEMENT VACATION)**

**APPLICANT:** Public Works Department, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

### **PROPERTY**

**OWNER:** City of Huntington Beach, 2000 Main Street, Huntington Beach CA 92648

**LOCATION:** Marigayle Circle (southwest of Ellis Avenue and Edwards Street)

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### **PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

General Plan Conformance No. 11-01 represents a request, pursuant to Section 65402 of the California Government Code, by the Public Works Department, to determine if the vacation of an approximately 11,268 square foot (0.26 acres) right-of-way easement is in conformance with the goals, objectives, and policies of the General Plan. The intent of the request is to vacate the City's interest in the subject right-of-way area and allow the fee title ownership to be granted to the eight adjacent property owners.

The subject right-of-way easement is located southwest of Ellis Avenue at Edwards Street, and is currently developed as a cul-de-sac right of way providing vehicular access to eight single family residences within the Nautical North subdivision (Tract No. 15690). Beyond the eight single family residences immediately surrounding Marigayle Circle, the project site as a whole is bounded by the Harriet M. Weider Regional Park to the north and west, Fire Station #6 to south and single family residences across the Edwards Street public right-of-way to the east.

On February 4, 2002, the City Council approved Zoning Map Amendment No. 99-02, Zoning Text Amendment No. 00-01, Local Coastal Program Amendment No. 00-01, Tentative Tract Map No. 15690(R), Conditional Use Permit No. 99-14 and Negative Declaration No. 99-18 which established a Holly Seacliff Specific Plan zoning designation and approved the subject eight lot single family subdivision project on the site. The Planning Commission subsequently conditionally approved CUP No. 99-14(R) for the construction of eight single family dwellings within the Holly Seacliff Specific Plan (HSSP) and Variance No. 01-17 to permit reduced rear setbacks for two lots. Construction of the project has since been completed and each home is currently occupied.

## **CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS**

<b>LOCATION</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LAND USE</b>
Subject Property:	Right-of-Way (ROW)	ROW	Public Street
North and West of Subject Property:	Not Applicable; Unincorporated	Not Applicable; Unincorporated	Bolsa Chica Wetlands
East of Subject Property (across Edwards St.):	RL-7 (Residential Low Density – 7 du/ac)	Ellis Goldenwest Specific Plan	Single Family Residential
South of Subject Property:	RL-7	Holly Seacliff Specific Plan (RL-1)	Fire Station No. 6

## **APPLICATION PROCESS AND TIMELINES**

### **DATE OF COMPLETE APPLICATION:**

July 1, 2011

### **MANDATORY PROCESSING DATE(S):**

August 10, 2011 (40 days from complete application)

General Plan Conformance No. 11-01 is tentatively scheduled for non-public hearing action by the Planning Commission on September 13, 2011. Scheduling for the project was delayed beyond the mandatory processing date due to the cancellation of the July 26, 2011 meeting. The Public Works Department will subsequently submit the vacation request to the City Council for final approval.

### **CEQA ANALYSIS/REVIEW:**

The proposed project is categorically exempt pursuant to City Council Resolution No. 4501, Class 5, which supplements the California Environmental Quality Act (CEQA) because the request is a minor street vacation.

### **COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES:**

The Public Works Department is the applicant for the request. There have been no comments received from other City departments or public agencies at this time regarding the General Plan Conformance.

### **PUBLIC MEETINGS, COMMENTS AND CONCERNS:**

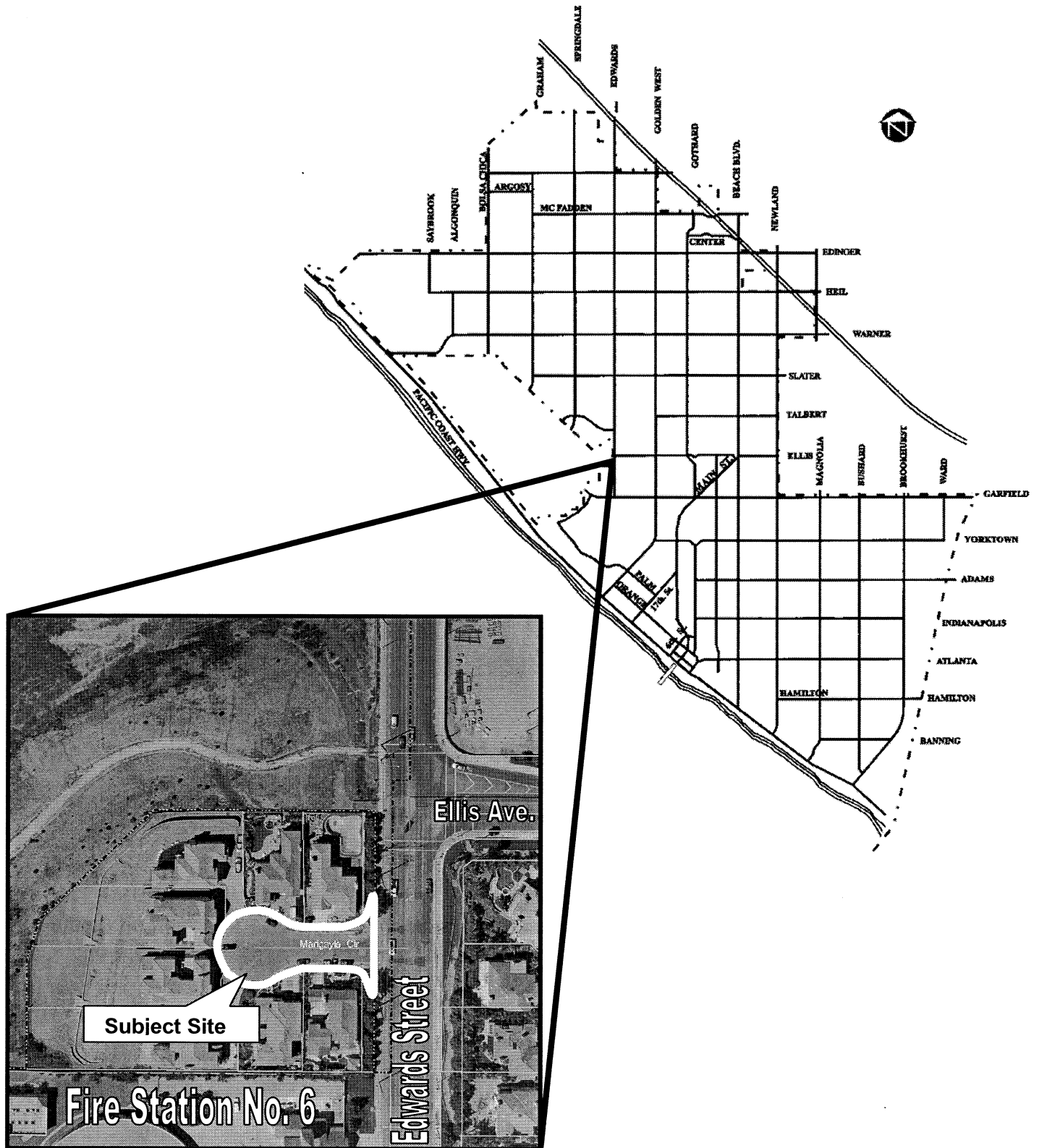
No public meetings have been held regarding this General Plan Conformance request.

### **PLANNING ISSUES**

The only issue to consider as part of this request is the project's conformance to the City's General Plan.

### **ATTACHMENTS:**

1. Vicinity Map – Marigayle Circle Easement Vacation
2. Project Narrative Dated May 26, 2011



**VICINITY MAP**  
**GENERAL PLAN CONFORMANCE NO. 2011-01**  
**(MARIGAYLE CIRCLE EASEMENT VACATION)**

## **PROJECT NARRATIVE**

Project: Street Vacation –Marigayle Circle (West of Edwards Street)  
Application: General Plan Conformance / Street Vacation  
Applicant: City of Huntington Beach - Public Works Department  
Contact: Josh McDonald, Civil Engineering Assistant  
Phone No: (714) 536-5509  
Date: May 26, 2011

### **Project Summary**

The City of Huntington Beach proposes to vacate Marigayle Circle in its entirety located west of Edwards Street. Marigayle Circle was acquired by the City as an easement for public street purposes by dedication for Tract No. 15690. The subject area to be vacated is cul-de-sac, approximately 11,268 square feet (0.26 Acres), and is located adjacent to the properties of 6454-6485 Marigayle Circle. Please see the attached Plat Map and Legal Description for a full depiction of the proposed area. Once vacated, the underlying fee title ownership of the subject area would revert to the adjacent owners along Marigayle Circle.

### **Project Background**

The purpose of this vacation is to comply with the Streets and Highway Code and to allow the owners of 6454-6485 Marigayle Circle (Tract 15690) to obtain and own the Marigayle Circle street easement. The primary intent of this street vacation is to allow the subject tract's property owners to install an Entry Gate at the Entrance of Marigayle Circle. This vacation is also related to the requirements of the PPR 2007-002 application. After further review and consultation with various City Departments, it was determined that, the subject area would not be needed for any future City use or street uses other than for maintenance purposes, and that the vacation of the public street easement would be acceptable. The property owners of all lots of Tract 15690 would be required to establish a Home Owners Association and enter into a Maintenance Agreement for the vacated street excluding the current utility easements.



Applicant: Josh McDonald  
City of Huntington Beach  
Public Works Department

5-26-11  
Date:

ATTACHMENT NO. 2.1

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PROPOSED STREET ABANDONMENT  
CITY OF HUNTINGTON BEACH**

THAT PORTION OF TRACT MAP NO. 15690 OF MAP BOOK 835, PAGE 14, RECORDS OF ORANGE COUNTY, CALIFORNIA, BEING A PORTION OF A PUBLIC STREET, SHOWN AS MARIGAYLE CIRCLE, SAID STREET DEDICATED BY SAID TRACT MAP TO THE CITY OF HUNTINGTON BEACH. THE PUBLIC STREET AREA TO BE ABANDONED IS DESCRIBED HEREON AND SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART OF THIS LEGAL DESCRIPTION.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 OF TRACT 15690 RECORDED IN MAP BOOK 835, PAGE 14, RECORDS OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG THE NORTH RIGHT OF WAY OF MARIGAYLE CIRCLE ALONG A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 34.00 FEET, ALONG A DELTA OF 33°58'28" A DISTANCE OF 20.16 FEET; THENCE CONTINUING ALONG THE RIGHT OF WAY OF MARIGAYLE CIRCLE THE FOLLOWING DESCRIBED COURSES; N. 89° 43'28" W. A DISTANCE OF 50.00 FEET; THENCE ALONG A CURVE, CONCAVE NORTHEASERLY, HAVING A RADIUS OF 54.00 FEET, ALONG A DELTA OF 36°52'12" A DISTANCE OF 34.75 FEET; THENCE ALONG A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 46.00 FEET ALONG A DELTA OF 253°44'24" A DISTANCE OF 203.72 FEET; THENCE ALONG A CURVE, CONCAVE SOUTHEASERLY, HAVING A RADIUS OF 54.00 FEET ALONG A DELTA OF 36°52'12" A DISTANCE OF 34.75 FEET; THENCE S. 89°43'28" E. A DISTANCE OF 50.00 FEET; THENCE ALONG A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 34.00 FEET ALONG A DELTA OF 33°58'28" A DISTANCE OF 20.16 FEET TO THE NORTHEAST CORNER OF LOT 8 OF SAID TRACT 15690; THENCE DEPARTING SAID RIGHT OF WAY N. 00°16'32" E. A DISTANCE OF 63.61 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THERE FROM AN EASEMENT IN FAVOR OF THE CITY OF HUNTINGTON BEACH OVER ALL OF THE PROPERTY DESCRIBED HEREON AND SHOWN ON EXHIBIT B ATTACHED HERETO FOR THE PURPOSE OF PROVIDING AND MAINTAINING PUBLIC UTILITIES, INCLUDING, BUT NOT LIMITED TO, SEWER AND WATER LINES AND APPURTENANT STRUCTURES OR DEVICES, AND FOR THE RIGHT OF ACCESS TO MAINTAIN OR REPAIR SAID PUBLIC UTILITIES.

ABANDONMENT AREA = 0.26 ACRES (11,268 SQ. FT.) MORE OR LESS.

THIS REAL PROPERTY HAS BEEN DESCRIBED BY ME OR UNDER BY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



PATRICK J. SAVAGE, P.L.S. 5183  
LICENSE EXPIRES 06/30/11

MAY 14, 2011

DATE



ATTACHMENT NO. 2.2

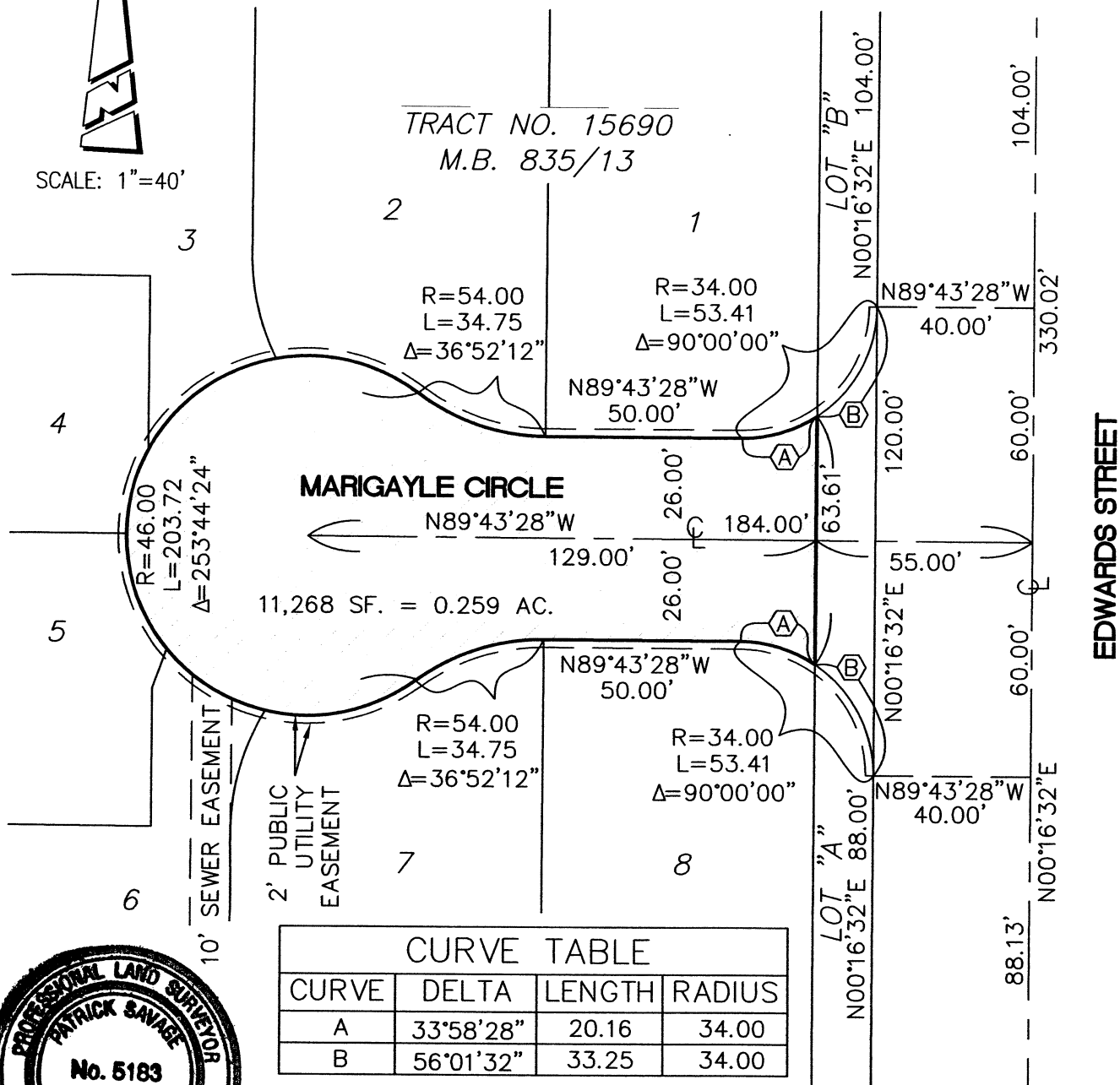
# EXHIBIT "B"

## MAP TO ACCOMPANY DESCRIPTION

### ROAD ABANDONMENT PLAT

SCALE: 1"=40'

TRACT NO. 15690  
M.B. 835/13



*Patrick Savage*  
5/14/2011

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Land Surveying  
340 Old Newport Blvd. • Suite 3  
Newport Beach, California 92663  
(949) 675-8030 • (949) 723-1429 fax

**EXHIBIT "B"**  
FOR  
ROAD ABANDONMENT

DATE: MARCH 24, 2011

SCALE: 1" = 40'

JOB NO.

SHEET 1 OF 1

ATTACHMENT NO. 2.3